

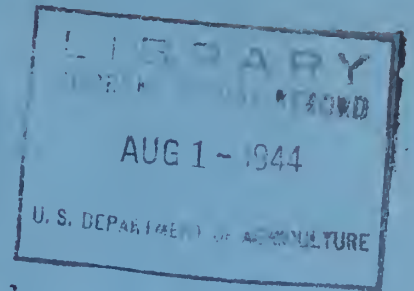
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C O M P L I A N C E M A N U A L

on



FOOD DISTRIBUTION ORDER NO. 1

(Bakery Products)

-----V-----

UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD DISTRIBUTION ADMINISTRATION
MIDWEST REGION
5 South Wabash Avenue
Chicago 3, Illinois

~~303511~~
COMPLIANCE MANUAL

Food Distribution Order No. 1

(Bakery Products)

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Prepared November, 1943

DIGEST OF FDO NO. 1 - BAKERY PRODUCTS

(See Attached Official Copy of the Order for full details)

ISSUANCE: Original issuance December 29, 1942; last revision:
(Amendment No. 4) effective July 1, 1943.

I.

RESTRICTIONS APPLYING TO COMMERCIAL BAKERS

(See definitions)

ORDER
REFERENCE TWISTING AND CROSS-PANNING:

- (b) (1) No twisting or cross-panning of any pan bread. (Exceptions:
Twisting of Jewish ritual bread containing eggs; twin loaves.)

WRAPPING:

- (b) (2) No more than one thickness of wrapping material (with exceptions)
- (b) (3) No more than one insert or one outsert (under certain conditions).
Insert or outsert cannot exceed 3 inches in width.

CONSIGNMENT:

- (b) (4) No delivery on consignment to anyone whatsoever; cannot accept
return, resume possession, refund, credit, exchange or give
allowance, on account of returned or stale bakery products.

VARIETIES:

- (b) (5) Cannot make more varieties of bread and rolls than made in first
week of December, 1942, and, in any case, the maximum variety
permitted during any one week is fixed in sub-paragraphs:
- (i) For sale to or distribution through retail and chain
grocery stores.
- (ii) For sale to restaurants, hotels; and private institutions.
- (iii) For direct sale to consumers.

EQUIPMENT:

- (b) (6) Cannot provide, replace, repair, alter, or maintain any racks,
stands, or other equipment. (See interpretations)

ENRICHMENT:

- (b) (7) All white bread must be enriched: (See supplementary information
herewith concerning regulation of Food, Drug and Cosmetic Act
on enrichment.)

ORDER

REFERENCE WHITE BREAD INGREDIENTS:

- (b) (7) Limitations on white bread ingredients, in proportion to 100 parts of flour:
- (ii) Not more than 4 parts of solids of milk or skim milk.
- (iii) Not more than 6 parts of cane, beet, or corn sugar, or other related fermentable carbohydrate solids.
- (iv) Not more than 3 parts of shortening, lard or other fats and oils. Any fat or oil in shortening extenders, substitutes, or in any other ingredient used in bakery products, shall be considered as part of the amount of shortening permitted.

All above proportions are determined by weight.

Example: With 100 pounds of flour, the baker can use up to 4 pounds of milk or skim milk solids, 6 pounds of sugar, etc., and 3 pounds of fats and oils including fats and oils that are in any other ingredient used.

Note: The baker may use any amount less than the maximum parts permitted in (ii) (iii) and (iv) above, if he desires.

GIFTS OF SAMPLES:

- (b) (8) Cannot make or offer to make a gift, directly or indirectly, any sample of bakery products to any purchaser of bakery products.

II.

RESTRICTIONS APPLYING TO ALL SELLERS OF BAKERY PRODUCTS

(including bakers, jobbers, driver-salesmen, grocers, dealers, institutions, restaurants, hotels, and all officers and employees.)

ORDER .
REFERENCE CONSIGNMENT SELLING:

(b) (4) Cannot deliver bakery products on consignment to any other person;

Cannot accept return or resume possession of bakery products sold to any other person;

Cannot give refund, credit, exchange or allowance on account of returned or stale bakery products.

(8) GIFTS OF SAMPLES:

Cannot make or offer to make a gift, directly or indirectly, of any sample of bakery products.

III.

RESTRICTIONS APPLYING TO ALL PURCHASERS OF BAKERY PRODUCTS

(including jobbers, grocers, retailers, dealers, restaurants, hotels, all officers and employees, consumers.)

CONSIGNMENT:

(b) (4) Cannot return any bakery products to any person from whom he has bought such products.

CREDIT:

(b) (4) Cannot accept a refund credit, exchange or allowance for such return.

Cannot receive credit or allowance in connection with any stale bakery products.

IV.

OTHER PROVISIONS OF FDO NO. 1

BAKERY PRODUCTS

ORDER
REFERENCE

(c) RECORDS AND REPORTS:

Bakers shall keep, for not less than two years, accurate records concerning:

all purchase of baking ingredients and baking products
all sales of baking ingredients and baking products
all bakery production

subject to examination by the Director, or any person authorized by him, as may be necessary or appropriate in his discretion. Reports may be required by the Director as may be necessary or appropriate in his discretion.

(d) AUDITS AND INSPECTION:

Bakers shall permit audit and inspection of books, records, premises or stocks of bakery products in connection with the administration and enforcement of this Order.

(f) PETITION FOR RELIEF:

Any of the persons affected by the Order may apply in writing to the Director for relief from an exceptional and unreasonable hardship imposed by the Order. Pertinent facts and relief sought must be set forth.

(g) VIOLATIONS:

Violations are punished by prohibitions from receiving, making deliveries of, or using allocated and priority materials, or by criminal or civil action.

DIGEST OF PERTINENT INTERPRETATIONS

ISSUED IN CONNECTION WITH RESTRICTIONS OF
FOOD DISTRIBUTION ORDER NO. 1 AS AMENDED

Note: For confidential use of FDA representatives only.

ORDER
REFERENCE

This digest is furnished to provide you with interpretations received from our Washington office pertaining to questions that have arisen concerning Food Distribution Order No. 1. (The date of each interpretation is in parenthesis.)

Note: Official interpretations are issued only by the Administrator of the Order. Any novel questions should be referred to the Regional Office for handling.

(b) (2) WRAPPING

In using partial inner wrappers on bread, as permitted under the Order, inner wrap edges must not lap or touch where they would ordinarily come together on the bottom of the loaf. There must be a space of at least an inch between these edges. (8-2-43)

(b) (5) VARIETIES

BREAD IN GENERAL

Machine Molded Bread is bread that is, while in the dough stage, mechanically formed into the shape such product is to be when baked. (4-28-43)

Hand Molded Bread is bread that is, while in the dough stage, hand and/or mechanically divided or rounded and is molded by hand on a bench into a shape different from that which it was when it came from the last machine, and then is hand molded into shape for baking. (4-28-43)

Cinnamon Toast Bread, a yeast raised product made with enriching ingredients approximating the percentage contained in a basic sweet dough formula, baked in a loaf form, packaged by regular bread slicing and wrapping equipment, and marketed as "bread", is considered as a variety of bread - not as some other bakery product. (6-23-43)

Bread made from the same formula, same type, weight and shape, packaged in wrappers of different design or printing, is considered one variety. (4-2-43)

2-Digest of Pertinent Interpretations

ORDER REFERENCE

- (b) (5) Bread sold to a retail grocer who operates a restaurant and sells one variety of bread to consumers for consumption in the restaurant, and for consumption off the premises are considered separate varieties. (8-24-43)

WHITE PAN BREAD

Bread made of white wheat flour and soybean flour in a pan is considered a white pan variety irrespective of proportional quantities of flour used. (9-10-43)

Bread baked in a pan containing a sufficient amount of raisins or raisins and cinnamon to modify the color is not considered white pan bread. (9-15-43)

Bread made of half white dough and half wholewheat dough is not considered white bread. (4-30-43)

ROLLS

Sliced and unsliced rolls are considered one variety. (8-26-43)

Rolls identical in every respect, packaged in different numbers constitute more than one variety. (8-24-43)

English Muffins having yeast as a leavening agent are interpreted to be a variety of rolls. (9-9-43)

(b) (6) EQUIPMENT

Cardboard counter display stands or racks with outside dimensions not exceeding 24 x 18 x 18 may be furnished by bakers. (8-17-43)

Permits may be issued for sale of racks and/ or stands that were bought by bakers prior to issuance of FDO-1, December 29, 1942, at not less than cost or market value, whichever is the lower. Petitions for such permits should be directed to Mr. Robert H. Black, Administrator of the Order, stating type of rack, size, quantity and date of purchase. (9-8-43)

(b) (6) OTHER EQUIPMENT

The following list of items have been interpreted to be within the meaning of "other equipment" under the Order:

Cardboard Racks and Stands of Counter or Floor type
Ration Stamp Assorting Boxes
Menus, such as printed or changeable for hanging on walls,
or those displayed on stands used inside or outside
the premises.

3-Digest of Pertinent Interpretations

ORDER REFERENCE

Mirrors
Thermometers
Barometers
Window Dressing Equipment used in displaying the customer's products, such as peanut butter, jellies and jams, etc.
Paper Bags. (8-23-43)

The following items are not included within the meaning of "other equipment" under the Order:

Pencils
Sun Visors
Honor Plaques
Calendars: provided thermometers, barometers or mirrors are not attached thereto
Paper used to cover shelves of racks and stands
Memoranda Pads
Outdoor Bread Boxes for the bakers' exclusive use
Window Dressing equipment when used by the baker to display his bakery products
Bakers' Advertisements painted on walls inside or outside the premises. Such advertising may include the name of the customer. (8-23-43)

(b) (7) INGREDIENTS

Sugar Content - Maltose contained in highgrade malt used in baking white bread is a fermentable carbohydrate and must be considered in computing the permitted quantity of sugar used in bread. (3-5-43)

Whole Milk - When Whole Milk is used in making bread, the butter fat contained therein must be considered as part of the shortening permitted, as well as part of the limitation in the amount of milk solids. (7-31-43)

(b) (8) GIFTS OF BAKERY PRODUCTS

Cash Prize - Bakers are not prohibited from giving a cash prize to a purchaser of bakery products for answer to questions about bread. (9-3-43)

Reduced Prices - Bakers are not prohibited from selling bakery products at a reduced price. (8-14-43)

Samples - The distribution of small samples of bakery products in connection with demonstration projects is prohibited. (6-30-43)

4-Digest of Pertinent Interpretations

ORDER REFERENCE

(b) (8)

Personal Friends - Bakers are prohibited from making gifts of a portion or complete unit of a bakery product to personal friends or anyone whether as Christmas gifts or otherwise. (9-27-43)

War Bond Bidders - Giving of bakery products to successful bidders of war bonds is a violation. (7-29-43)

Radio Contestants - The distribution of bakery products to winning contestants on radio programs or other enterprise is prohibited. (7-24-43)

MEMORANDUM REGARDING ENRICHMENT

FDO NO. 1 - BAKERY PRODUCTS

Food Distribution Order No. 1, in the provisions under (b) (7) (i, ii, iii, iv), requires that "all white bread shall be enriched". This supplementary information is provided as an aid which may be needed from time to time in explaining the term "enrichment" to bakers or others interested.

Enrichment means that white bread has been made either:

- (a) from enriched white flour, as obtained from the mills, containing the ingredients in quantities required by the regulations under the Food, Drug and Cosmetic Act; or
- (b) from plain white flour to which the equivalent enrichment ingredients have been added during the mixing of the dough.

Either method of enrichment may be used.

Standard regulations of enriched white flour: As of October 1, 1943, the following amounts of enrichment ingredients are required under the Food, Drug and Cosmetic Act:

<u>Per Pound of Flour</u>	<u>M I L L I G R A M S</u>	
	<u>Minimum</u>	<u>Maximum</u>
Thiamin	2.0	2.5
Riboflavin	1.2	1.5
Niacin or Niacin Amide	16.0	20.0
Iron	13.0	16.5
Calcium	500.0	1,500.0

A finished pound loaf of bread requires only approximately six-tenths of a pound of flour. The following standard of enrichment should result in a pound loaf of white bread if flour or dough containing the above quantities of enrichment has been used:

<u>Per Pound of Bread</u>	<u>M I L L I G R A M S</u>	
	<u>Minimum</u>	<u>Maximum</u>
Thiamin - Required	1.1	1.8
Riboflavin - Required	0.7	1.6
Niacin - Required	10.0	15.0
Iron - Required	8.0	12.5
Calcium *	300.0	800.0
Vitamin D *	150.0	750.0

*These ingredients are optional in enriched bread.

QUESTIONS AND ANSWERS

FDO NO. 1 - BAKERY PRODUCTS

I. Relating to Bakers

1. Why was the minimum requirement for milk solids removed from white pan bread formulas?
 - a. To make it possible for bakers to comply with the order. Because dried skim milk production will not nearly meet all war and civilian requirements, it is impossible for all bakers to obtain the minimum of 3 parts of milk solids required by the original order. It is hoped that bakers will continue to use as much milk as can be obtained up to the maximum permitted.
2. What steps have been taken through the amendment to make up for removal of the minimum milk requirement from white pan bread formulas?
 - a. Although shortening and sugar are not entirely satisfactory substitutes nutritionally for milk, the palatability of the bread is maintained by increasing the maximum quantity of sugar under the amendment from 4 parts to 6, while the shortening maximum is increased from 2 parts to 3.
3. May shortening "extenders" be used?
 - a. Yes, but the amended order requires that the fats and oils in extenders, substitutes, or other ingredients used, be considered a part of the maximum shortening allowance for white pan bread.
4. What has Amendment No. 4 added as to the sale of "grocery" type of bread and rolls?
 - a. It permits the sale of all varieties of bread and rolls which bakers can make under the order to governmental agencies and Federal, State, county and municipal institutions.
5. How is the wrapping provision modified?
 - a. Bakers may use an inner wrapping of wax paper for loaves baked in pans not less than 13 inches long. End seals may be used. The baker also may use inserts and outserts if they provide necessary identification or correction of labeling and are not more than 3 inches wide.

6. How does the amendment affect certain sales promotion practices?
 - a. It prohibits bakers from giving away samples of their products to influence sales.
7. Is the fat or oil naturally present in wheat, rye, soya or corn flours, cornstarch, eggs, milk, cream, and yeast to be calculated in arriving at the amount of shortening permitted by Food Distribution Order No. 1?
 - a. The fat or oil naturally present in wheat, rye, low fat soya and corn flours, cornstarch, eggs, skimmed milk, and yeast is not to be considered as part of the shortening that must be calculated in determining whether the amount used is within the restriction. However, the amount of fat or oil in high fat soya flour that would normally be extracted in processing (approximately 15 percent of the total weight of the flour) shall be calculated as part of the fat permitted. The amount of butter fat in cream and whole milk similarly is to be calculated as part of the fat permitted.

II. Relating to Grocers or Dealers

1. How does the amended order further restrict "consignment selling" of bakery products?
 - a. By making the grocer or dealer equally responsible as the baker and subject to the same penalties for any violation of this part of the order.

III. Relating to Bakers and Public Generally as to Gifts and Samples

1. Is it permissible to give 1 or 2 slices of bread to housewives by door to door delivery?
 - a. It is not permissible to give bakery products away in any quantity other than to the type of institution referred to in the answer to question 6.
2. Is it permissible for a demonstrator to give customers in a grocery store 1 or 2 slices of bread?
 - a. Gifts of bakery products by demonstrators to customers of any store are prohibited.

3. Can a baker obtain a list of customers from a grocer, send each customer a letter asking them to try "X" brand of bread, and enclose a coupon entitling them to a sample of such bread?

a. The order prohibits gifts directly or indirectly; therefore, this practice cannot be followed.

4. Can a gift of bakery products be made to visitors at the bakery plant?

a. The place of making the gift is immaterial; all such gifts of bakery products are prohibited.

5. Can a specially wrapped sample of a new product be given to a grocer for him to try so that he can better inform his customers regarding its qualities?

a. No.

6. Can donations of bakery products be made to institutions?

a. It was not the intention to restrict the donation of bakery products to charitable institutions that are dependent upon donations for their supply of bakery products. Donations of these products must be limited entirely to such charitable institutions, and cannot be made to institutions that purchase bakery products.

7. Are bread crumbs considered bakery products and if so is the gift of a sample of bread crumbs prohibited?

a. Bread crumbs are bakery products; therefore, the gift of bread crumbs is prohibited under the same conditions as for other bakery products.

INVESTIGATION SPECIFICATIONS

Specifications for determining compliance with FDO 1 - Bakery Products

The following items are pertinent in considering violations with respect to each of the restrictions in the order.

Those items should be carefully checked by all persons who are considering the application of the order in connection with any problem or case under study. Such persons include (1) Regional, State, Area, and Sub-Area Committees, and (2) the agency staff, Area and State Supervisors, investigators, Regional Reviewers, and other Compliance personnel, and Bakery Products Specialists.

These specifications will be useful in the following ways:

In studying a particular bakery operation, the total list of specifications should be checked.

In making spot checks or compliance studies in a given area, the total list of items, or any particular item under consideration at the time, will provide a uniform basis for so doing.

In reporting any violation, give names, location, date, and essential facts regarding baker, driver, grocer, and others related to the particular case. The reports of violations of the order when made to the Local Bakery Advisory Committee or to FDA staff (other than investigators) will be recorded in a suitable memorandum report, and in general accordance with the specifications herein set forth.

ORDER REFERENCE

(b) (1) Twisting and Cross-Panning

Determine, and state definitely, whether or not there is any twisting or cross-panning in the manufacture of any pan bread. Each of these practices is prohibited.

(b) (2) Wrapping

Determine, and state definitely, whether or not more than one thickness of wrapping paper is used.

If more than one is used:

describe the bread so wrapped, giving trade name, if any, size, length;

also describe the inner wrapper fully as to whether it completely covers the entire loaf, or whether it is a partial inner wrapper and how much of the bread it covers.

Samples of wrapping, with or without bread contents, are frequently desirable.

BAKERY PRODUCTS RECORDS

When checking compliance with FDO No. 1

ORDER REFERENCE

- (c) "Bakers shall keep and preserve for not less than two years accurate records concerning all purchases and sales of baking ingredients and bakery products, as well as of production." Such records should be available beginning December 29, 1942.

(b) (4) CONSIGNMENT SELLING

Check the Driver's Settlement Sheets:

This will show with what bakery products the driver was charged, and what he brought back either in money or bakery goods.

Many bakers have code marks on the wrapper to indicate the day on which the bakery products were baked. After first learning the days of the week which their code marks indicate, a check of products returned by drivers would show whether the returned products are fresh or stale.

A check of the expense accounts of the employees of a bakery may reveal information concerning money paid to the customers for stale bakery products.

Also, be aware that some bakeries exchange fresh for stale products while making deliveries in groceries and retail stores. Consequently, it may be necessary in some cases to make a supplementary check with some of the grocers and retailers.

(b) (5) VARIETIES

Check the Production Sheets or Bake Shop Orders:

These records will enable you to determine compliance as to restrictions on varieties of bread and rolls. Remember that variations as to formula, type, weight, shape or topping may constitute different varieties of bakery products. Variations of methods of production may create additional varieties. The types of production methods are:

Machine Molded

Hand Molded

Pan Baked

Hearth Baked

A statement should be on file indicating varieties of bread made in each bakery during the first week of December, 1942.

(b) (7) INGREDIENTS

Check the Formula Book

This is a statement of ingredients used in each item of bakery products.

3-Investigation Specifications

ORDER REFERENCE

(b) (6) Equipment

Secure such information as may be available regarding operations of the baker in providing or furnishing racks, stands, or other equipment.

(b) (7) Enrichment - White Bread

Determine and state whether baker makes white bread from enriched flour, or through the use of equivalent enriching ingredients added to his white bread dough; and in either case in accordance with the enrichment provision set forth in this manual.

(b) (7) Formula - White Bread

Determine and state number of parts (by weight) of milk solids or skim milk, sugar and shortening per 100 parts of flour used in making white bread. (Sugar means cane, beet, corn, or other related fermentable carbohydrate solids. Shortening means fat, lard, oil, or any shortening extender or substitute, or any other ingredient used for shortening.)

(b) (8) Samples or Gifts

Determine and state whether or not any samples of any kind of bakery products have been or are being distributed in connection with demonstrations or other distribution.

(c) Records

Determine and state whether baker has maintained, beginning December 29, 1942, accurate records. (See memorandum on Records, in this manual.)

2-Investigation Specifications

ORDER REFERENCE

(b) (3) Inserts and Outserts

Determine and state definitely whether either is used. If so, describe size, nature and purpose of same fully.

(b) (4) Consignment

Determine and state definitely whether this practice exists on behalf of the baker, or the driver salesman, or the grocer, or the restaurant, or hotel keeper, or private institution.

Determine, if possible:

whether the practice can be identified as authorized by, or known to, or condoned by the management;

whether the violator is an employee or jobber.

Sales slips and other identifying documents should be obtained, if possible.

Signed statements, if deemed necessary, will be obtained by the official investigator only.

(b) (5) Varieties of Bread and Rolls

Determine, if possible, number of varieties of bread and rolls made for sale to each trade classification (retail stores; restaurants, hotels, and private institutions; consumers) during the first week of December, 1942;

Indicate whether the production disclosed at the time of investigation was greater or less than the production during the first week of December, 1942;

Determine and list varieties of bread and rolls made for sale to each of the above groups;

Describe each variety, giving weight, type, machine molded or hand molded, white pan, hearth or screen baked, sliced or unsliced. Note that rolls made for sale to each trade classification should be also listed and described.

Note: The variety limitation relates to bread and rolls made or sold during any one week (a week begins at 12:01 A.M. Sunday.)

PROCEDURE ON VIOLATIONS AND PENALTIES - FDO 1 (BAKERY PRODUCTS)

1. Educational Effort

Every effort is made through educational and persuasive means to secure compliance with the Order. This effort is cooperative between FDA representatives and the associations and members of the Baking Industry. The aim of educational methods, and particularly thereunder the vital exercise of action by the Local Baking Industry Committees, is to reduce the use by FDA of formal legal or administrative actions to a minimum; and in such minimum to secure, as a result, prompt and adequate justice under the Order.

2. First Offenders

First offenders whose violations are minor, and especially where accompanied by ignorance or misunderstanding of the Order, are usually dealt with, where necessary, by the filing with them of an official warning letter. Such action, among other things, lays a basis for effective criminal action if thereafter the violation should be repeated, since such repeated practice would constitute evidence of a wilful and deliberate intent to violate.

3. Continuing Offenders

Violations in other groups than first offenders, or of minor character, which fail of treatment through the educational or persuasive approach, are handled through:

- (a) Civil action, such as by injunction; or
- (b) Criminal action under appropriate Federal statutes.

Civil and criminal action are preceeded by a formal investigation or audit in order to determine the basis for such action.

- (c) Administrative action: Where deemed appropriate by the War Food Administration, and where civil or criminal action does not seem to be appropriate, handling may be by administrative action. This means that a statement of charges will be filed with the violator, and he will be given an opportunity to answer or deny the charges at a public hearing. Following the hearing, the presiding official will transmit his report and recommendation to the War Food Administrator, Washington D. C. The latter will make his final determination as to what action is to be taken or what sanctions are to be imposed. Such sanctions may include temporary suspension of all or a part of the business; or a cancellation of war orders; or suspension in the supplying of essential supplies or materials; or limiting the use of allocated materials; or in depriving the violator of certain collateral assistance in the obtaining of equipment.

SPOT CHECK REPORT ON BAKERS -- FOOD DISTRIBUTION ORDER NO. 1

Note: The answers to the following should represent a statement of facts and should not be confined to the viewpoint of the person interviewed.

FIRM NAME _____ ADDRESS _____

CITY _____ COUNTY _____ STATE _____ TYPE OF OWNERSHIP _____
(Indicate if Individual, Corporation or Partnership. Name Partners.)

PERSONS(S) INTERVIEWED _____ TITLE _____
_____ TITLE _____
_____ TITLE _____

1. Has a copy of Food Distribution Order No. 1 been received?..YES ___ NO ___

Source _____

Attitude _____

2. Twisting and Cross-panning - (b) (1):

Is the process of twisting or cross-panning used in the manufacture of any pan bread?..... YES ___ NO ___

If "Yes", Describe: _____

3. Wrapping - (b) (2):

Are any bread or rolls packaged in more than one thickness of wrapping material other than the exceptions listed in the Order?.....YES ___ NO ___

If "Yes", Describe: _____

4. Inserts or Outserts - (b) (3):

Do any inserts or outserts used by this bakery under the terms of the Order exceed three inches in width?.....YES ___ NO ___

5. Consignment - (b) (4):

Is there evidence from the interviewee, or other source, that this bakery or any of its employees delivered bakery products on consignment, or resumed possession, or gave a refund, credit, exchange, or allowance in connection with the sale or resumption of possession of bakery products?.....YES ___ NO ___

If "Yes", state the facts as you have them _____

6. Varieties - (b) (5):

A. Indicate by numbers the following information which may be obtained by checking production records and/or bake shop orders.

I. Bread and rolls made for sale to or distribution through retail stores including chain grocery stores:

(a) Number of machine molded bread.....

(b) Number of white pan bread included in 6,I(a) _____

(c) Number of hand molded bread.....

(d) Number of rolls.....

II. Bread and rolls made for sale to restaurants, hotels, and private institutions:

(a) Number of bread (all types).....

(b) Number of white pan bread included in 6,II(a) _____

(c) Number of rolls.....

III. Bread and Rolls made for direct sale to consumers;

(a) Number of bread (all types).....

(b) Number of white pan bread included in 6,III(a)

(c) Number of rolls.....

B. Is the bakery making more varieties of bread and rolls than was made by it during the first week in December, 1942?.....YES NO

7. Equipment - (b) (6):

Does this bakery provide or furnish racks, stands, or other equipment to any person, or replace, repair, alter, or maintain any such equipment heretofore furnished to or belonging to any other person?.....YES NO

If "Yes", Describe:

8. Enrichment - (b) (7):

Does the baker use enriched white flour, or employ the use of equivalent enriching ingredients in the manufacture of white bread to comply with the enrichment provision of the Order?.....YES NO

9. Ingredients - (b) (7):

Does the baker use more than the permitted amounts of milk solids, sugar, and fats or oils under the Order in the manufacture of white bread?

YES NO

10. Gifts and Samples - (b) (8):

Is this bakery making or offering to make a gift directly or indirectly of any sample of bakery products to any purchaser of bakery products?

YES NO

11. Records - (c):

A. Is this bakery failing to maintain records as required by the Order?

YES NO

B. Have you checked any records of this bakery, and if so, what types and for what periods of time?.....YES NO

12. Result of Interview:

A. Action to be taken by Interviewed to correct violations, if any:

B. Remarks - If you doubt compliance in connection with any answers arrived at, indicate and make recommendation.

Interviewer

Title

Date 194

BRIEF BACKGROUND ON FOOD ORDERS

(FDO NO. 1 - BAKERY PRODUCTS)

Note: This material is designed to be helpful to FDA representatives in explaining this Order to groups and individuals in the Baking Industry. A timely explanation will aid in getting appreciation of the purposes of the Order among those affected by it. Appreciation and understanding will contribute toward increased cooperative compliance.

I.

GENERAL INFORMATION

(as applied to all Food Orders)

The Food Distribution Administration - as a part of the War Food Administration - was created to aid in attaining maximum conservation and preservation of foods and the equitable distribution of our entire national food supply. This is a basic and necessary part of our War effort. The Food Distribution Administration functions directly and primarily in connection with growers, processors and distributors of foods and food products. Through such functioning it also affects the general public as consumers.

Factors necessitating distribution regulation:

Although America is producing more food than ever before in its history, the Food Distribution Administration is made necessary because of numerous factors, among which are:

- (1) Immensity and variety of requirements for our armed forces;
- (2) Necessity for adequately maintaining immediate and anticipated food supplies on a world-wide scale; the army frequently buys three months in advance for soldiers and sailors in the United States, and eight months in advance for those abroad;
- (3) Dislocations and limitations in railroad, shipping and other transportation, and in warehousing facilities;
- (4) The increasing needs for Lend-Lease, Red Cross and rehabilitation aids;
- (5) Vastly increased buying power of United States civilians, thus bringing greater demands into our grocery stores and butcher shops;
- (6) Changes and adjustments because of weather conditions and other unpredictable and uncontrollable influences;
- (7) The underlying necessity for avoidance of all food waste, and for obtaining maximum use of all our foods and food values everywhere.

WHAT FDO NO. 1 AIMS SPECIFICALLY TO ACCOMPLISH

ORDER
REFERENCE

(b) (1) TWISTING AND CROSS-PANNING:

These restrictions save materially on labor, which is essential in respect to:

our national manpower needs;

reduce operating costs within the industry.

(b) (2) WRAPPING:

These restrictions save materially on:

paper, which is critically needed for military and other purposes;

paraffin wax, critically needed for waterproofing soldiers' shoes, concentrated soldiers' food packages used in battle, and prevention of rust on guns and ammunition;

industry operating costs.

(b) (4) CONSIGNMENT SELLING:

These restrictions prevent a tremendous waste of bread and other bakery products, which the Industry itself has been desirous of preventing for years. In addition they lower sales and distribution costs of the Industry.

Estimates indicate about 720,000,000 loaves of bread have been wasted annually by consignment selling. This means that millions or pounds of bread-food ingredients, such as shortening, dry milk, sugar, are needlessly lost to the nation. It is a waste which should certainly be prevented in our war-time emergencies.

(b) (5) VARIETIES:

These restrictions accomplish the following:

affect a great saving of valuable food ingredients, such as milk, sugar, shortening, flour;

reduce labor considerably;

simplify production operations of bakers;

lower operating costs of the baker.

2-Brief Background on Food Orders

Food Allocations: Our overall food supply is periodically estimated, adjusted and allocated by a joint Board at Washington, essentially in the order below indicated, to meet the needs of:

- (1) Our armed forces at home and abroad;
- (2) Our civilian requirements throughout the nation;
- (3) Our Lend-Lease commitments - to better enable soldiers of our Allies to conduct a winning fight;
- (4) Red Cross and rehabilitation aids in liberated countries;
- (5) Some economic exchange of foods and goods with friendly nations that can provide needed foods (such as coffee) and goods (such as rubber) which we do not produce.

In all of these phases, it is literally true that our "Food Fights for Freedom."

II.

BAKERY PRODUCTS (in general)

The Bakery Products Order was the first order issued by the Food Distribution Administration. This was due much to the following reasons:

- (1) Bakery Products have a national and constant use;
- (2) Are among our most essential and nutritious foods;
- (3) Are not temporary or seasonal in character;
- (4) Use an enormous quantity and a large variety of food ingredients;
- (5) In their manufacture and distribution a number of critical materials are used;
- (6) Admit of economics and savings which can greatly contribute to the success of our War effort.

2-What FDO 1 aims specifically to accomplish

ORDER
REFERENCE

(b) (6) EQUIPMENT:

These restrictions gain:

a saving on steel, which is so critically needed for guns, tanks, ships, etc;

a saving of other war-needed material;

lower sales and distributing costs of the baker.

(b) (7) ENRICHMENT OF WHITE BREAD:

Enrichment increases nutritional values not otherwise obtainable in white bread. White bread can make up considerably for occasional scarcity in other foods, and hence its food-values should be increased accordingly.

(b) (8) GIFTS:

These restrictions on gifts:

prevent waste of bakery products;

remove undersirable competitive practices;

reduce operating and sales costs in the Industry.

THE ORDER IN GENERAL

It is evident that all of these provisions are designed to effect enormous food savings to our nation as a whole, and important financial and operating savings to the Baking Industry.

The OPA has placed a price ceiling on bakery goods, but bread has not been rationed. FDO No. 1 has been a very important factor in maintaining a full supply and a fair distribution of needed bakery products and in enabling bakers to operate within the ceiling at a reasonable profit.

Taken together, FDO No. 1 is contributing immensely in assuring that, so far as Bakery Products are concerned, all such foods truly "Fight for Freedom" both at home and abroad.

BAKING PRODUCTS INDUSTRY COOPERATION

The Baking Industry in general is desirous of extending, and has offered to extend, full cooperation with our Government toward doing its part in helping to win the war on our Food Front.

1. National Baking Industry Cooperation

Each industry which is to be affected by a Food Order, by request of the Washington authorities, appoints representatives to serve as an Industry Food Advisory Committee in connection with the Food Order. When an Order or any important amendment is to be drawn up, this Committee is consulted as to the purposes and the various provisions for attaining the purposes. The Baking Industry was among the first to select such a National Committee.

The purposes include such desirable end-results as:

- Elimination of food waste
- Best use of foods available from nutritional point of view
- Assured use of available foods to replace scarcer foods
- Savings of critical war materials
- Reduction in manpower
- Savings in operating costs
- Aiding companies to continue in business
- Enabling the industry to operate at a reasonable profit
- Fair allocations of food ingredients

Thus the Baking Industry has a voice in the creation of the Order and in subsequent important amendments. Consequently, the Order is based much on the practical experience of the Industry, and receives general Advisory Committee approval before it is promulgated. The National Advisory Committee also cooperates, in a general way, toward obtaining compliance with the Order.

2. State and Local Baking Industry Cooperation

The Baking Industry has also volunteered continuing aid in obtaining understanding of the Order and compliance with its provisions. This effort will generally be carried on through the industry's State and Local Committees, generally under the auspices of the State Bakers Association, and with the cooperation of FDA representatives.

The nature of this State and Area cooperation will generally be as follows:

(a) Educational meetings

From time to time educational meetings are to be arranged for Industry members and related groups in convenient

BAKING INDUSTRY STATE ADVISORY COMMITTEE

In each state in the Region, it is suggested that a State Baking Industry Advisory Committee serve for the state in a general advisory capacity.

Membership of the State Committee:

In general, membership of State Committees usually comprise:

President of the State Bakers' Association.
Secretary of the State Bakers' Association.
Prominent members of the Industry from the
various Areas in the State as deemed
advisable by the State Baking Industry
Committee and the State Associations

Purposes:

- (a) A primary function of the State Committee is to aid in the organization of the Local Baking Industry Committees;
- (b) Supply such direct help to the Local Committees as the occasion might require;
- (c) Maintain and stimulate the Local Committees as continuing active units in their localities;
- (d) Hold such State-wide general meetings of the Industry as circumstances or developments make advisable;
- (e) Cooperate with groups related to the Industry in educational-compliance efforts on the Order;
- (f) Render, through publicity and other activities, general State-wide aid in furtherance of the Food Program.

State and Area FDA Supervisors have been directed to aid the State Advisory Committee, so that the cooperative effort will function effectively.

areas throughout the Region. While the meetings are under the auspices of the local or state association of the industry and the industry members, the State and Area FDA Supervisors are to work with the industry membership in organizing and conducting each meeting.

(b) Local Baking Industry Committees

One result of the first meeting would be to suggest that a Local Baking Industry Committee be appointed. This Committee will generally function in:

- (1) furthering local educational efforts on the Order;
- (2) obtaining local compliance with the Order;
- (3) reporting alleged persistent violators to the Area and State Supervisors.

(c) Public Understanding

The State and Local groups can also aid, through local publicity media, in keeping the public advised and developing public morale and support of the Food Order program.

The character, organization, purposes and functioning of the State and Local Committees are herewith suggested.

RESPONSIBILITY OF STATE AND LOCAL INDUSTRY COMMITTEES

The responsibility of the Baking Industry Committees, it must be remembered, is solely that of performing a voluntary, patriotic, educational service. At no time should there be any threats, duress, or harsh measures applied in undertaking to obtain compliance with the Order.

All enforcement powers, of course, remain with and can be exercised only by the duly authorized and empowered Federal authorities, which in this case is FDA. However, the Industry, in "policing itself", can aid tremendously in obtaining maximum compliance with the Order and reducing to a minimum the necessity for enforcement procedures on the part of the Government.

2-Baking Industry Local Committee

- (c) Conduct local meetings for explanation of the Order, or any new amendments of it, as need may arise.
- (d) Develop and maintain lists of the local members of the Baking Industry, in cooperation with the Secretary of the State Bakers Association.
- (e) Contact other Federal Agencies, such as the ODT and OPA, in cooperative war efforts, occasion might make advisable.
- (f) Obtain such publicity through the local press as might be deemed advisable.
- (g) Distribute literature concerning the FDO 1 and related matters.
- (h) Cooperate with the State Baking Industry Committee.
- (i) Cooperate with organizations of related groups - Grocers, Retailers, Hotels, Restaurants, Labor Unions - to the degree that such cooperation is deemed advisable and aids in educational and compliance effort.

Personnel

Experience has indicated that, to attain best results, membership of the Local Baking Industry Committee should not exceed five in number, including the Chairman. The personnel of this Committee, since it is to function actively, should be carefully selected by the local members of the Bakery Industry. In general, the personnel usually comprises:

A Baking Industry Chairman: the Chairman should be a man of outstanding reputation in the community, one who is heartily supporting compliance with FDO 1, and who is willing to and has the time to serve in this important job;

Prominent local Baking Industry members, representative of the wholesale, retail, and other bakery groups. (State Bakery Advisory Committee Members, who reside in the trading area, may perhaps be members of the Local Committee also; if not members, they may be invited to attend meetings from time to time.)

"COMPLIANCE CLEARING HOUSE"

The Local Baking Industry Committee, as perhaps its most important function, can serve informally as a compliance clearing house. Either the Chairman or some other person should be elected or designated as the executive officer for his purpose.

As complaints of irregularities come to the Chairman or other member of this Committee, in one way or another, the Committee will consider the facts and handle the problem on an educational basis if possible.

BAKING INDUSTRY LOCAL COMMITTEE

Importance and Nature

From the point of view of baking industry action, the Local Committees are the most important of all. Because the territory covered is relatively small, these committees can maintain close and direct contact with all in the baking industry and their related groups. Remember, that this is essentially a local committee of, by, and for the Baking Industry.

Endorsement and Experience

The formation of these Local Baking Industry Committees has been endorsed by representatives of the Industry. Such committees have already been functioning helpfully in several sections of the Midwest Region and in other Regions.

Committee Understanding

When a Local Baking Industry Committee is organized, all those connected therewith should be definitely informed as to the character, purposes, and functions of the committee so that they appreciate its importance in the educational-compliance program. It is desirable to obtain a formal endorsement of the committee by local members of the Baking Industry at the time of its organization, and a pledge of willingness to serve on the part of committee members.

Territory

Generally, the Local Baking Industry Committee will operate in distinct trading areas, as radiating out from some large city. Where such trading area overlaps the boundaries of several Regional area, the Area Supervisor residing in or nearest to the large central city would most likely be the contacting FDA representative.

Each local committee is to determine the definite area in which it will function. This can be done in cooperation with State Baking Industry Association officials. The FDA State Supervisor should be advised as to the boundaries agreed upon, and will determine which Area Supervisor is to be contacting-FDA-representative.

Purpose

In general, the suggested functioning purposes of these Baking Industry Local Committees, as based on the experience of such committees, are:

- (a) Conduct an informal "Clearing House" activity. (See below as to this function.)
- (b) Maintain contact with Industry members with respect to FDO 1.

3-Baking Industry Local Committee

Only educational efforts are to be made by the Committee. Without any threats, such efforts should be made so as to be sure the Order is understood.

Where an individual, despite these efforts, persists in violating the Order, the committee will then report him to the FDA Area Supervisor.

The FDA Area Supervisor initiates and follows through whatever official attention and action may be officially deemed advisable in accordance with requirements of the case. All first violations of major importance should be reported to the FDA Area Supervisor.

This Committee can also maintain a check of the general state of compliance in this area.

It must be remembered that mere "hardship" which a particular person in the Industry may be experiencing, is not a sound reason for a violation. The war brings hardships to all and it is the duty of all to adjust their affairs so as to cooperate with the Government in its war effort, despite any hardships that may be unavoidably involved.

As already pointed out this Local Committee, in its clearing house activity, is not operating in an official capacity for the Food Distribution Administration. It is a patriotic and voluntary organization, as a part of and as an aid to the Baking Industry in doing its share toward winning the war on the Food Front. The FDA Area Supervisor, of course, is to handle any complaints that may come to him, and take such action thereon as he deems advisable, independently of the Local Committee, and as the situation in his area may warrant.

Headquarters and Meetings

It is desirable that the Local Committee secure some kind of headquarters where it holds regular meetings.

Some Committees have found that bi-monthly meetings have been sufficient. Special meetings are held at the call of the Chairman.

Through the local press the names of the Chairman and the committee members, and the address and telephone of the committee headquarters, as well as any special committed activities, should be made known to the Industry and the public.

Spirit of the Committee

The spirit with which this Local Baking Industry Committee enters upon and carries on its activities should always be consonant with the spirit of patriotic war-winning effort. Sincerity, enthusiasm, and persistence toward a high goal of achievement should be evident. It should always function as a public-spirited and constructive organization, both for the honor and the good of the Baking Industry. In brief, the spirit of this Committee will be a determining factor in the success of this segment of the Baking Industry's war-effort contribution on America's Food Front.

Program for State and Area Meetings

(Approximately 2 hours)

Chairman: State or Area Supervisor

- | | | |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| 10 minutes | Purpose of Meeting
(F.D.O. 1, the job it has to do, and our
experience to date)..... | Chairman |
| 10 minutes | Responsibility of baking industry in
educational program; the opportunity
it offers the baking industry

(Facts and figures showing conservation
as result to F.D.O. 1)*..... | Industry leader** |
| 25 minutes | Analysis of the provisions of F.D.O. 1;
penalties for violations..... | Order Administrator
(with compliance
official, if
possible) |
| 10 minutes | How to improve compliance..... | Member of Baking
Industry |
| | followed by | |
| 35 minutes | Discussion..... | Led by Member of
Baking Industry |
| 15 minutes | Closing

What voluntary cooperation can accomplish-
contrasted with the effects of wilful
violations of F.D.O. 1..... | Chairman |

*The ABA will furnish industry speakers with suggestions for talks through the state secretaries.

**This industry leader may be the president of the local bakers' association. If there is no association, he may be any representative baker.

(From page 7, Handbook for FDA Representatives,
EDUCATIONAL PROGRAM ON FDO 1, prepared by
Food Distribution Administration, Washington D. C.)

REPORT OF BAKING INDUSTRY - FDA MEETING

TO:

Report Date:

FROM:

1. Place of Meeting:

Date of Meeting:

2. Cooperating Sponsor(s)

3. Industry Groups Represented:

Name of Leader

Association or Company

Position

Address

4. FDA Representatives present:

5. Total attendance:

Order discussed:

6. Brief outline of meeting program:

7. Special Compliance Problems developed:

8. Solutions indicated:

9. General Compliance attitude at Meeting:

10. Local Baking Industry Committee selected:

Name

Position

Address

11. Further action to be taken as result of meeting:

12. Suggestions, Recommendations, or Remarks:

(Use reverse side, if necessary, for any above-numbered items)

POINTS ON CONDUCTING BAKING INDUSTRY MEETINGS

1. PREPARATION: Prepare the program thoroughly in advance. Since each meeting is extremely important, try to get the maximum of constructive results. Always avoid a disorganized, casual, or haphazard impression.
2. PURPOSE: Meetings are held to (a) provide information, (b) clear up misunderstandings, (c) develop appreciation, (d) create cooperative effort, (e) obtain willing and complete compliance with FDO 1.
3. OBJECTIVE: Each meeting should lead to some definite end-result. Get agreement on (a) the desirability of the Order for the war effort and for the Industry; (b) willingness to comply; (c) cooperative aid in getting compliance from all affected by the Order in the area which the meeting covers.

Local Baking Industry Committee: See instructions in this manual as to Local Industry Advisory Committee.

4. PRESIDING OFFICER: Try to get a recognized leader in the industry or group, one who is generally well thought of, to preside. Give him some "speech points" from the Hand-book of Educational Program on FDO 1, as prepared by Food Distribution Administration, Washington, D. C.
5. ANALYZING THE ORDER: In discussing the order, cover it in a systematic way. When necessary, go through the restrictions, one by one, and try to cover each restriction completely before going on to the next one.

Discuss each restriction in this sequence; (a) the restriction; (b) official interpretations which apply; (c) reasons for it; (d) necessity for compliance. (The material in this manual is designed to aid you in such discussion.)

6. DISCUSSION: Invite and encourage questions and discussion. Leave no question unanswered. If you cannot answer it, promise to get the answer, and supply it to the person or persons interested, as soon as possible.
7. IMPORTANT POINTS: Often meetings are adjourned without some important points having been presented. Have a list of important points about the Order, particularly as they have local significance, that should be understood by all present. If these points are not raised from the floor, then bring them up yourself, while the Order is being discussed.
8. IMPRESSIVENESS: The meeting should reflect war-effort seriousness of the occasion. Make clear the importance, need, and dignity of Industry efforts in the overall objective. Inject sincere enthusiasm in the proceedings. Point out that violations will be dealt with, as necessary, by government authorities. Emphasize that where willing compliance is not forthcoming it will be appropriately enforced, but that patriotic voluntary compliance, under Industry auspices, is preferred by the Government.

WAR FOOD ADMINISTRATION
FOOD DISTRIBUTION ADMINISTRATION
5 South Wabash Avenue
Chicago 3, Illinois

October 23, 1943

I M P O R T A N T

TO ALL GROCERS, BAKERS AND SELLERS OF BAKERY PRODUCTS:
(Restaurants, hotels, institutions, and driver-salesmen)

Food Distribution Order No. 1 covering bakery products was amended effective July 1, 1943, to make the grocer, driver-salesman and dealer equally responsible with the baker for any illegal continuation of the practice of returning bakery products.

Complaints of violations indicate that the baker, driver-salesman, and the grocer are jointly guilty in perpetuating the wasteful and unpatriotic practice of returning unsold bakery products.

YOUR ATTENTION IS DIRECTED TO THE FOLLOWING INFORMATION:

First: The driver-salesman or any other person is guilty of violating the law and is subject to the penalties established therein, if he "sells on consignment, delivers or otherwise distributes for sale any bakery products and agrees in any manner to accept return, resume possession, or give refund, credit, exchange or allowance in connection therewith."

Second: Any purchaser of bakery products, including retail grocers, dealers, restaurants, hotels, and institutions, is prohibited from accepting bakery products in any transaction which offers any agreement to in "any manner return, resume possession or give refund, credit, exchange or allowance in connection therewith."

Penalties for violation are covered in Title 18, Section 550 of the United States Code which provides that "whoever directly commits any act constituting an offense defined in any law of the United States, or aids, abets, counsels, commands, induces, or produces its commission is a principal" and may be prosecuted as a violator of the law.

We feel sure that bakers, grocers, driver-salesmen and all others involved will cooperate in preventing the violation referred to above, because consignment selling is the most wasteful practice of the baking industry, annually resulting in return of bakery products containing $4\frac{1}{2}$ million pounds of dried milk, 6 million pounds of sugar, 5 million pounds of shortening, and hundreds of millions of pounds of flour. These and other ingredients, when returned in stale bakery products, are no longer fit for human consumption.

FORM LETTER TO GROCERS, ETC.

FDO 1 - Bakery Products

There is attached a form letter to Grocers, etc. (dated October 23, 1943) of which mention is to be made at all FDO 1 Baking Industry meetings. Every effort should be made to have action taken to effect the distribution of this letter.

Purpose of Grocer Letter

This letter was prepared at the request of Baking Industry representatives for the purpose of impressing grocers and others with the fact that FDO 1 is a Government Order which applies to grocers, as well as to bakers, driver-salesmen, and others.

Method of Distribution

Distribution will be made by mail through the Regional Office in a franked envelope. The Regional Office will supply the needed number of envelopes and letters. These envelopes and letters will be turned over to R.L. Polk and Company, (or to any other similar mailing concern if preferred) who maintain comprehensive lists of grocers and others, covering any area.

Expense of Addressing Envelopes and Inserting Letters

Expense of addressing the envelopes and inserting letters is to be paid for by either the State Bakers' Association or any group of bakers. The total cost for this service ranges from 1 $\frac{1}{2}$ ¢ to 3¢ per mailed piece, depending upon the number handled at one operation.

Reasons for this Distribution Method

Tests have proved that the Grocer and others are more seriously impressed by a letter received in a Government franked envelope, over the signature of the Regional Director.

Distribution of this letter by driver-salesmen has been found to be ineffective for various reasons, such as provoking undesirable discussions between grocers and driver-salesmen - the reluctance of driver-salesmen to even leave the letter with grocers because competing driver-salesmen are not doing so - carelessly leaving the letter at a grocery without getting it in the hands of the proper person, etc.

Our Cooperation

The preparation of this letter, furnishing of envelopes, mailing, etc. is a definite contribution by the War Food Administration toward aiding the Baking Industry in informing their customers, in the most effective way, that they are under the Order and should comply with its provisions.

2-To all Grocers, Bakers and Sellers of Bakery Products.

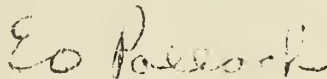
IN WAR TIMES EVERY POUND OF FOOD IS NEEDED AND SUCH WASTE CANNOT BE PERMITTED.

It is our earnest request that you as one of those principally affected inform all your employees and those you serve with the need for conservation of these important food products.

We firmly believe that all your employees and all your customers will gladly comply with these wartime restrictions and will cheerfully make this small patriotic contribution to the war effort.

Vigorous prosecution will be instigated by the War Food Administration against anyone failing to comply with the provisions of the bakery products order.

Yours very truly,



E. O. Pollock
-Regional Director
Midwest Region

(This letter is mailed on one legal-size sheet)

